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COPY 2
AN ACT

INCORPORATING THE

LOOMIS INSTITUTE,

President O. B. Loomis, 162 E. 66th St. N.Y.

IN THE

TOWN OF WINDSOR, STATE OF CONNECTICUT,

TOGETHER WITH THE

BY-LAWS

FOR GOVERNMENT OF THE SAME.

HARTFORD, CONN.:
PRESS OF WILEY, WATERMAN & EATON.
1878.



*With the compliments of
Osbert D. Loomis.*

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Hon. J. B. Newley

21Ja'03



AN ACT

To incorporate the Loomis Institute in the Town of Windsor.

Be it enacted by the Senate and House of Representatives in General Assembly convened: SECTION 1. That James C. Loomis, Hezekiah B. Loomis, Osbert B. Loomis, H. Sidney Hayden, and his wife, formerly Abby S. Loomis, and John Mason Loomis, and their successors be and they hereby are constituted ^{Corporators.} a body politic and corporate by the name of The Loomis Institute, and by that name shall have perpetual succession hereafter, and shall be able to sue and be sued, plead and be impleaded, defend and be defended in all courts whatever, and may have a common seal and change the same at pleasure. They also shall have power and authority to take, by purchase, gift, grant, ^{Power to purchase property.} devise, or in any other manner and form, any and all property and estate, real, personal and mixed, and wheresoever situated, and the same to hold in trust for the sole and exclusive use and benefit of said institute: *provided, always,* that the yearly value ^{Proviso.} of the real estate thus acquired, shall not exceed the sum of fifty thousand dollars; and that no purchase, gift, grant, devise, or other mode of transfer or conveyance, made to or for the use and benefit of said institute, shall be accepted or received upon any condition or conditions inconsistent with the provisions of this act. And they also shall have power and ^{Power to sell property.} authority to give, grant, bargain, sell, exchange, transfer, convey or otherwise dispose of any or all of the estate and property so held by them, as they shall deem for the best interests of the institute, except as is herein expressly provided to the contrary.

SEC. 2. This institute shall be and the same hereby is constituted and established for the free and gratuitous education of ^{Purpose for which Institute is established.} all persons of the age of twelve years and upwards to twenty years in all the departments of learning which are now taught or hereafter may be taught in the various grades of schools in this country, and also for the purpose of maintaining and supplying all those whose condition and circumstances may require it, with all those things which may be deemed necessary and proper for their comfort and advancement in useful knowledge, so far as the funds of the institute will permit. But no person shall be admitted as a ^{Who may be admitted as students.} student in said institute until he or she shall be adjudged, on examination, capable of reading and spelling the English language

x Deceased.

correctly, writing a good, legible hand, and resolving questions in the four rules of arithmetic, with a knowledge of elementary geography and grammar, and shall sustain a good moral character. In case a greater number of persons having the requisite qualifications shall apply for admission than the institute can accommodate, then selection from said applicants shall be made, first from those belonging to the Loomis family by name or consanguinity, next from those belonging to the town of Windsor, next from those belonging to the State of Connecticut, and next from those deemed most worthy, without regard to state or nation, all of which shall be determined by said trustees and their successors, or by committees by them appointed, in conformity to the provisions of this act.

Trustees — may
buy certain prop-
erty and lay out
the same.

To determine
number and
style of build'gs,
&c., and may
erect same when
funds equal
\$200,000.

Location not to
be sold.

SEC. 3. The trustees above named shall have power and authority, with the consent of the owners thereof, to select such portion of the original homestead of Joseph Loomis, taken up by him in 1639, and continued in the ownership and possession of his descendants from that day to this, situated upon "The Island," so called, in Windsor, in the county of Hartford, and state of Connecticut, and any other lands immediately contiguous thereto, not exceeding in quantity fifty acres, as they may deem necessary and proper, and they shall cause an accurate survey and map of the same to be made and lodged on file in the office of the land records of said town, for safe keeping, there perpetually to remain. They shall also have power and authority to lay out, improve, and beautify said grounds, in such manner and to such an extent, as they may deem necessary and proper—to determine the number, form, dimensions, materials, and style of architecture of the buildings to be erected thereon, and the location of the same on said premises, and shall cause plans of the same to be made and lodged on file in said office, there to be forever kept, and they may proceed to erect said buildings, or so many thereof as they may deem expedient, and provide the same with suitable furniture, books, apparatus, and all such other matters and things as they may deem necessary and proper for the use of the institute, whenever the funds of the same shall equal the sum of two hundred thousand dollars.

The location thus selected and determined upon shall thereafter become and forever be and remain the site and location of said institute, and no person or persons shall thereafter have power or authority to take, appropriate, convey or otherwise dispose of the same, by gift, grant, bargain, sale, exchange, mortgage, or in any other manner or form to any person or persons, or for any cause or purpose whatever, but the same shall be and forever remain the location of said institute, and appropriated and used for the purposes intended by the donors and by the provisions of this act.

If the above named trustees shall neglect or fail to exercise or perform any or all of the above granted powers, during their continuance in office, then the same are hereby given and granted to their successors.

SEC. 4. The said trustees and their successors shall have power and authority to manage and direct the property, funds and effects of said institute, all of which shall be exempt from taxation, so long as said institute shall be maintained and used for the purposes of education as herein intended and provided; to enlarge the qualifications for admission, to prescribe the course of instruction and direct the same therein, to limit the time that students may continue therein, to appoint a president, who shall be an ex-officio member of the board of trustees during his continuance in office, secretary, such professors, tutors, and all such other officers and employees as they may deem necessary to assist in the government, education and care of the students belonging to said institute, and to make all ordinances and by-laws, and the same to alter and amend at pleasure, that they may deem necessary and proper for carrying into full effect the object of said institute, not inconsistent with the provisions of this act, the laws of this state and of the United States.

Trustees to manage property and appoint President and other officers of school.

To make by-laws.

No officer, instructor, employee, or student, shall be made eligible or ineligible, for or by reason of his or her religious or political opinions, nor be compelled to acknowledge or sign any religious or political creed or test whatever; but no officer, instructor, employee, or student, shall be appointed, or continued in the employment, service, or enjoyment of the privileges of the institute who does not sustain a good moral character.

No one ineligible on account of religious or political creed.

SEC. 5. After the original buildings shall have been completed according to the plans of said trustees, and furnished as herein provided, it shall be the duty of said trustees and their successors, to cause all the available funds that may remain, or be thereafter received, to be safely invested by bond and mortgage on unincumbered real estate, in this state, of double the value of the amount to be secured, or in the most approved securities of the state of Connecticut, to be and remain a perpetual fund, and the rents, issues and profits thereof thereafter only, shall be used and expended in defraying the current expenses of the institute, in the erection of new buildings and in the purchase of books, maps, charts, apparatus, and all other matters and things which may be deemed necessary and proper best to promote and secure the welfare and prosperity of the institute.

Investment of funds.

Nothing herein contained shall be construed to prevent the appropriation of any gift, grant, bequest or devise, to the specific object intended by the donor, provided the same is approved by the trustees, and is consistent with the provisions of this act.

SEC. 6. Said trustees and their successors shall annually, in the month of January in each year, make a full and detailed statement, under oath, of all the receipts and disbursements for or on account of the institute during the year preceding the first day of said month, and how the funds are invested, and the securities thereon; of the number of students in said institute, and the amount which has been expended in their support; of

Trustees to report under oath at annual meeting.

the number of officers and employees therein, and the amount of salaries and compensation paid to each one, and any and all other matters that they may deem advisable to communicate to the public, and shall immediately thereafter cause the same to be printed at length in two of the daily newspapers published in the city of Hartford, believed to have the largest circulation, for a period of ten days; and shall also cause said statement to be lodged in the office of the record of lands in said Windsor, and thereupon it shall be the duty of the proper officer to record the same at full length upon said records.

Trustees may confer literary honors.

SEC. 7. The said trustees and their successors shall have power and authority to grant all such literary honors and testimonials as usually are or hereafter may be granted in the literary institutions of this country; and in testimony of such grant, may issue and deliver diplomas under the signatures of the president and the secretary, and under the seal of the institute; *provided*, that nothing herein contained shall authorize the conferring of collegiate degrees.

Proviso.

Trustees may increase their number to twelve and fill vacancies.

SEC. 8. The said trustees and their successors shall have power and authority by a major vote, from time to time, as they may deem expedient, to increase the number of trustees to any number not exceeding twelve, a majority of whom shall be residents of the county of Hartford, and also by a similar vote to fill any and all vacancies that may occur by death, resignation, removal or otherwise, at their discretion:—but after the death, resignation, removal for cause from office, or neglect or refusal of all the above named trustees to act as such; the number of trustees shall not in any case be less than seven; and if the then existing board of trustees shall neglect or fail to fill all the vacancies that may then exist under the number of seven, for the period of six months, or if from any cause at any time, there shall be an entire vacancy in said board, then the governor of the state, for the time being, shall have power, and it shall be his duty, by and with the advice and consent of the chief judge or justice of the State, to appoint not less than seven fit and proper persons to be and become the trustees of said institute; and the persons thus appointed shall be the trustees of said institute, with all the rights and power appertaining thereto. No trustee shall be removed from his office for misconduct, incompetency or other disqualifying cause, except by the judgment and decree of three of the judges of the superior court of the state, for cause shown, whose duty it shall be, upon proper application to them, to hear and determine the same.

Trustees — how removed and for what cause.

When Trustees may organize.

SEC. 9. Whenever funds shall be contributed or secured to the satisfaction of the treasurer of the state of Connecticut, for the use of said institute, to the amount of fifteen thousand dollars, the trustees above named, or the survivors of them, and their associates and successors, at any time thereafter, may proceed to organize and establish said institute, according to the provisions of this act; and may do, execute and perform all and singular, acts, matters and things, as they may deem for the

best interests of the institute, not inconsistent with the provisions herein contained.

SEC. 10. This act shall not be subject to alteration, amendment or repeal, except upon application of two-thirds of the trustees.

Approved, July 8th, 1874.

RESOLUTIONS AND BY-LAWS

Established for the Regulation and Government
of the Institute.

Resolved, That the officers of said Institute shall hereafter be Officers—how elected. elected by ballot, annually, in the month of January in each year, and shall, until otherwise ordered, consist of a President, Vice President, Treasurer, and such other officers and committees as may be deemed necessary and proper to carry into full effect the object of said Institute. The President, Treasurer and Secretary shall be residents of this State, and it shall require a majority of votes of all the Trustees to elect them.

Resolved, That all the officers and committees appointed as To hold office for one year. aforesaid shall hold their respective offices for the current year, and until others are chosen and qualified in their respective places, and may be removed at any time by a vote of two-thirds How removed. of the Trustees; and all vacancies that shall occur by death, resignation or otherwise, shall be filled by said Trustees, and Vacancies—how filled. said Trustees may appoint such other officers, clerks and employees as they may deem necessary, who shall hold their offices at the pleasure of the Trustees.

Resolved, That the following by-laws be, and the same are, hereby adopted and established, for the regulation and government of said Institute, until others are substituted therefor, the same being at all times subject to alteration, amendment or Alteration in By-Laws—how made. repeal, by a vote of two-thirds of the Trustees at a legal meeting assembled for that purpose.

BY-LAWS OF THE LOOMIS INSTITUTE.

1. ANNUAL AND SPECIAL MEETINGS.

The annual meetings of the Trustees of said Institute shall be holden at said Windsor, for the choice of officers and the transaction of any other business that may properly come before said meeting; and notice of the same shall be given to each of the Trustees, by depositing a letter in the Post Office in said Windsor, at least ten days before said day of meeting, addressed to each of said Trustees, at his place of residence, specifying the time, place and object of said meeting.

Special meetings, except for the appointment or removal of any Trustee or Trustees, may be called by the President, whenever he may deem the

same necessary and proper, and shall be called whenever a majority of the Trustees may request him in writing so to do, and upon his neglect or refusal, by said Trustees.

The special meetings shall be warned in the same manner as the general meetings, and it shall be the duty of the Secretary of the Institute to give the notices required accordingly, and no meeting shall be competent to the transaction of any business until the same shall have been duly warned in conformity herewith, and be attended by at least four Trustees competent to act. All meetings may be adjourned from time to time as may be deemed necessary.

2. THE PRESIDENT.

It shall be the duty of the President to preside at all the meetings of the Trustees, to exercise a general supervision over all the affairs of the Institute, to sign and seal as President all instruments, documents, contracts and other obligations authorized by the Trustees, to communicate to and with the Trustees, at their meetings or otherwise, all such information, and to recommend, from time to time, all such measures as he may deem necessary and proper, to secure and promote the best interests of the Institute.

3. VICE-PRESIDENT.

It shall be the duty of the Vice-President to attend all meetings of the Trustees and to discharge all the duties of the office of President for the time being, whenever the President shall be absent or from any cause unable to discharge the duties of the office; and in case of the inability of the Vice-President to act, then any other one of the Trustees may act in his place.

4. THE TREASURER.

It shall be the duty of the Treasurer to give to the Institute, from time to time, as the amount and condition of the funds may require, a good and sufficient bond, with surety, for the full and faithful discharge of all his duties as Treasurer. He shall also receive and immediately deposit and continue on deposit in some savings or other bank or banks, or security vault or vaults, in the county of Hartford, in good standing, all the moneys, certificates of stocks, bonds, mortgages and other personal securities, belonging to said Institute, so long as they may remain unappropriated or uninvested by the Trustees, and shall keep a full and accurate account of all the receipts and disbursements for or on account of said Institute, in a book or books, to be provided by him therefor; and said books shall always be open to the inspection and examination of any or all of said Trustees, and he shall, annually, on the first Monday of January in each year, make a full and true statement and account, under oath, and report the same to the Trustees, of all the said receipts and disbursements during the year next preceding the first day of said month, and at such other times and to such an extent as may be required of him, in writing, by a majority of said Trustees.

And no moneys shall be withdrawn from the deposits made by the Treasurer exceeding the sum of five hundred dollars in any one year, without the order of the Trustees, in writing, expressly authorizing him so to do; and said order shall specify particularly for what purpose said money so

drawn shall be used, and the funds thus drawn shall be used for no other purpose whatever, and said order shall be recorded by the Treasurer.

All orders on the funds shall be signed by the Treasurer and countersigned by the Secretary.

Before any bill, account, or claim against the Institute shall be allowed and paid by the Treasurer, exceeding the sum of five hundred dollars, the same shall be carefully examined, approved, and certified in writing to be just and due, by the Finance Committee, and said certificate shall be recorded by the Treasurer on the book of his office.

5. THE SECRETARY.

It shall be the duty of the Secretary to keep a full and true record of all the votes, resolutions and proceedings passed and adopted at the meetings of the Trustees; to give the required notices of all annual and special meetings of the Trustees, when thereto requested by the President or other authority authorized thereto in conformity to the requirements of these By-Laws. It shall be his duty to countersign all documents and contracts and other instruments authorized by the Trustees and signed by the President, and all orders of the Treasurer upon the Treasury exceeding in amount the sum of five hundred dollars; and he shall affix to all documents and contracts required to be signed by the President, the corporate seal of the Institute, which said seal he shall keep in his care and possession for that purpose.

6. THE COMMITTEE ON FINANCE.

It shall be the duty of this Committee to have a general supervision of the financial condition and affairs of the Institute; to examine and report to the Trustees upon all the proposed investments of its funds; to keep a constant and vigilant watchfulness over all the securities and existing investments; to carefully audit and adjust all bills, accounts and claims that may be presented against said Institute, and upon finding the same to be justly due from the Institute, to report the same to the Treasurer, who, thereupon, shall draw his order upon the treasury for the payment of the same.

Said Committee shall also diligently inquire into the propriety of all the proposed purchases, sales, exchanges, alterations and improvements of the estate, real and personal, of the Institute, when the value and amount of the same, or the cost thereof, may exceed the sum of five hundred dollars, and report the same to the Trustees; and no such purchase, sale, exchange, alteration or improvement shall be made until the same shall have been approved by the Trustees at a meeting legally warned and held for that purpose.

It shall also be the duty of this Committee to recommend to the Trustees all such financial measures and actions as they may deem necessary and proper for the welfare of the Institute.

7. APPOINTMENT OF TRUSTEES.

Hereafter no Trustee or Trustees shall be appointed until he or they shall have been nominated to said office at a legal meeting of said Trustees, and notice of said nomination given to each of the Trustees of said Institute, by depositing in the post-office in said Windsor a letter addressed to each of said Trustees, at their respective places of residence, within ten days thereafter, and at least two months before the meeting for making the appointment.



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